

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

<b>CEDERIC WAYNE BAGBY,</b>	)	<b>CASE NO. 1:15 CV 0972</b>
	)	
<b>Plaintiff,</b>	)	<b>JUDGE DONALD C. NUGENT</b>
	)	
<b>v.</b>	)	
	)	<b><u>MEMORANDUM OF OPINION</u></b>
<b>GOLDMAN SACHS, PRESIDENT,</b>	)	
	)	
<b>Defendant.</b>	)	

*Pro se* Plaintiff Cedric Wayne Bagby is a Texas state prisoner incarcerated in the Texas Department of Criminal Justice's William P. Clements Unit in Amarillo, Texas. He brings this against the President of the Goldman Sachs Group. The Complaint, which does not set forth coherent allegations, asserts fraud among various companies, "the banks," and the Internal Revenue Service. He seeks one hundred and fifty billion dollars in damages.


Plaintiff also filed an Application to Proceed *In Forma Pauperis*. (ECF No. 2). That Application is **DENIED**.

Pursuant to 28 U.S.C. §1915(g), a prisoner is prohibited from bringing a civil action or appealing a judgment in a civil action *in forma pauperis* "if the prisoner has, on 3 or more prior occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state claim upon which relief may be granted, unless the prisoner is under imminent danger of serious physical injury." Plaintiff's allegations do not reasonably suggest he is in imminent danger of serious

physical injury. In addition, he has, on at least five prior occasions while incarcerated, filed a civil action in federal court that was dismissed as frivolous. *See Bagby v. Staples*, No.5:13 CV 1092, 2014 WL 7005587 (W.D. Texas Dec. 10, 2014)(dismissing civil rights 42 U.S.C. §1983 action brought by the Plaintiff and citing four previous civil actions the Plaintiff filed in federal courts that were also dismissed as frivolous; *Id.* at \*1, citing *Bagby v. Thaler*, 1:12 CV 2001 (District of Columbia); *Bagby v. President of Bank of America*, 1:13 CV 225 (District of Columbia); *Bagby v. Thaler*, 2:13 CV 12 (N.D. Tex.-Amarillo Division); and *Bagby v. Fathi*, 4:13 CV 598 (S.D. Tex.-Houston Division)). Plaintiff is therefore foreclosed from proceeding *in forma pauperis* in this case.

Accordingly, Plaintiff's Application to Proceed *In Forma Pauperis* (ECF No. 2) is denied and this action is dismissed without prejudice under 28 U.S.C. §1915(g). The Court further certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an appeal from this decision could not be taken in good faith.

IT IS SO ORDERED.

  
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DONALD C. NUGENT  
UNITED STATES DISTRICT JUDGE

Dated: October 2, 2015